

PEACE

*Convention signed at Bardo, near Tunis, February 24, 1824, amending treaty of August 28, 1797*¹

Senate advice and consent to ratification January 13, 1825

*Ratified by the President of the United States between January 13 and 21, 1825*²

Proclaimed by the President of the United States January 21, 1825

*Superseded May 7, 1904, by agreement of March 15, 1904, between the United States and France*³

8 Stat. 298; Treaty Series 361

ARTICLE the 6th

If a Tunisian corsair shall meet with an American vessel, and shall visit it with her boat, two men only shall be allowed to go on board, peaceably, to satisfy themselves of its being American, who, as well as any passengers of other nations they may have on board, shall go free, both them and their goods; and the said two men shall not exact anything, on pain of being severely punished.

In case a slave escapes, and takes refuge on board an American vessel of war, he shall be free, and no demand shall be made either for his restoration or for payment.

ARTICLE the 11th

When a vessel of war of the United States shall enter the port of the Gouletta, she shall be saluted with twenty-one guns, which salute the vessel of war shall return gun for gun only, and no powder will be given, as mentioned in the ancient eleventh article of this treaty, which is hereby annulled.

ARTICLE the 12th

When citizens of the United States shall come within the dependencies of Tunis to carry on commerce there, the same respect shall be paid to them which the merchants of other nations enjoy; and if they wish to establish

¹ TS 360, *ante*, p. 1088.

² For a detailed study of this convention and a discussion regarding date of ratification, see 3 Miller 141.

³ TS 434, *ante*, vol. 7, p. 862, FRANCE.

themselves within our ports, no opposition shall be made thereto, and they shall be free to avail themselves of such interpreters as they may judge necessary, without any obstruction, in conformity with the usages of other nations; and if a Tunisian subject shall go to establish himself within the dependencies of the United States, he shall be treated in like manner.

If any Tunisian subject shall freight an American vessel, and load her with merchandise, and shall afterwards want to unload, or ship them on board of another vessel, we shall not permit him until the matter is determined by a reference of merchants, who shall decide upon the case; and after the decision the determination shall be conformed to.

No captain shall be detained in port against his consent, except when our ports are shut for the vessels of all other nations, which may take place with respect to merchant vessels, but not to those of war.

The subjects and citizens of the two nations, respectively, Tunisians and Americans, shall be protected in the places where they may be by the officers of the Government there existing; but, on failure of such protection, and for redress of every injury, the party may resort to the chief authority in each country, by whom adequate protection and complete justice shall be rendered.

In case the Government of Tunis shall have need of an American vessel for its service, such vessel being within the Regency, and not previously engaged, the Government shall have the preference, on its paying the same freight as other merchants usually pay for the same service, or at the like rate, if the service be without a customary precedent.

ARTICLE the 14th

All vessels belonging to the citizens and inhabitants of the United States shall be permitted to enter the ports of the Kingdom of Tunis, and freely trade with the subjects and inhabitants thereof, on paying the usual duties which are paid by other most favoured nations at peace with the Regency. In like manner, all vessels belonging to the subjects and inhabitants of the Kingdom of Tunis shall be permitted to enter the different ports of the United States, and freely trade with the citizens and inhabitants thereof, on paying the usual duties which are paid by other most favoured nations at peace with the United States.

Concluded, signed, and sealed, at the Palace of Bardo, near Tunis, the 24th day of the moon jumed-teni, in the year of the Hegira 1239, corresponding [to] the 24th of February, 1824, of the Christian year, and the 48th year of the Independence of the United States, reserving the same, nevertheless, for the final ratification of the President of the United States, by and with the advice and consent of the Senate.

S. D. HEAP, *Chargé d’Affaires* [SEAL]
[Sidi Mahmoud’s signature and seal]